

In The Particular

427 field of urban housing, however, the forms of marriage become
581 important and a man may be required to show that he is legally
married before he can rent married quarters.

692 The work of the court is, in the words of the councillor hearing the
581 pleas of Ruth (p. 54), 'not . . . to force men and women to divorce
each other, but to instruct them how to live well together'. Whereas
kinsfolk have an interest in a particular marriage, the court is
concerned with the well-being of the tribe as a whole, and the
maintenance of Ngoni values. It has a particular interest in those
aspects of marriage in which the Native Authority bureaucracy is
concerned, namely the issue of marriage certificates and the handing
over of the legalization payment. In court as yet, no inquiry is
made as to whether a marriage certificate has been issued in
respect of any particular marriage. These certificates were first
introduced only a few years ago, and if a married couple want one
they must make a visit to the court accompanied by one or two
relatives, and pay sixpence fee. They do not go to this trouble
until they need one for the journey away from Fort Jameson. This
may be after several years of married life.⁷⁷ In village discussions
of marriage I never heard mention of marriage certificates, nor did
I see a litigant produce one in court. One man, obtaining a certificate
for his marriage that had taken place a year previously remarked
that in these days one could not be sure of damages for adultery
unless one had a certificate. I think he was ahead of custom in
this matter, but as the same individuals issue certificates and try
cases, it seems probable that such a development will take place.
But even with the increased importance of the issue of certificates,
it seems likely that the role of the court as primarily a conciliatory
body will continue for some time, so long as court members do not
become a body of specialists differentiated from the rest of the
population.

692 The court is reluctant to grant divorce to a woman on the ground
581 of her husband's desertion if he is a labour migrant until it can be
shown that she has made efforts to trace him and has given him a
chance of re-establishing contact with her. Therefore, women are
made to write to their husbands informing them of their intention
to proceed with a divorce. These letters are sometimes shown to
the court as evidence that they have been written. It is only after
an adjournment of several months that the court will take up the
case, and the wise woman, during this time, avoids any indication
that she has a new husband in view. It is, as it were, assumed that
there is always a suspicion of adultery, but if her husband's kin
cannot marshal any evidence against her, the court will grant her
plea. It is felt by some court members that the attention paid
to the pleas of women is forced on them by the Administration,
and they are anxious to show that they do not divorce women too

⁷⁷ Cf. Richards, op. cit., p. 84.

low productivity and little power of recovery. Next, the weaker soils will be abandoned: such data as we have suggests that this stage is reached when grain yields fall below 200 lb. per acre in the normal season. The former cultivators of the abandoned land may then offer work in exchange for the food surplus still enjoyed by the holders of the stronger soils, or they may be entitled to a share of the surplus by virtue of kinship obligations. In this way a period of increasing pressure and accelerated erosion on the stronger and more fertile soils is brought about. These stages will commonly be accompanied by migration of able-bodied men to the centres of employment and the stage finally be reached when the area is dependent to a large extent on food purchased from outside sources. 000

In 1941 a study was made of a highly congested area in Fort Jameson District; the area of Mpexeni, Paramount Chief of the Ngoni. The chief-taincy was found to be 54,000 acres in extent and, after detailed survey, the carrying capacity for traditional Ngoni agriculture was estimated to be about 1,300 to 1,400 persons. A total of 7,700 people, between five and six times the carrying capacity, were supposedly living within the chief-taincy. In short, an area which, because of the high proportion of mountain country, had a critical density of only about 16 persons per square mile did in fact appear to be carrying over 90 to the square mile. 114 101 121 161 311 133

The main reasons for the continued survival of this population were found to be as follows:

- (a) The time during which these conditions had existed (about 15 years) was not sufficient to show the full effects of this degree of land pressure.
- (b) Great areas of hill country and dambo, which would not normally be cultivated, had been taken into cultivation. The almost incredible mountain cultivation on the Nyamfinzi range was, until recently, a startling spectacle. Use of dambo grassland for *fioko* gardens had seriously reduced grazing and was a sore point with the cattle-loving Ngoni. 181
- (c) Under extreme pressure the population had burst its bounds and an irresistible tide had inundated adjoining private land and unoccupied European farms. In addition, a missionary organization had permitted cultivation, on payment, on land owned by the mission. By these means the effective acreage had, in fact, been increased by almost 50 per cent. 797 427
- (d) A very heavy burden had been thrown on the limited soils of high fertility and resistance to erosion, the only soils left in the original area still carrying moderately good crops. These soils, then in continuous cultivation, were feeding more than twice as many people as they would normally do. 134
- (e) The Paramount Chief was importing from Nyasaland each year a considerable quantity of food for the use of his people. 439

Dona District of the Nyanaland Protectorate.

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within about four months of purchase, the money is refunded, unless it is shown that the owner is to blame. In the case of a sheep or goat, this period is reduced to about six weeks. 233 [672]

It is not the custom to hire out cattle, either for ploughing, or for milk. If a cow brings forth twin calves together, she and her offspring are presented to the headman; as the cow is supposed to be an exceptionally good one; and the headman in return hands over three other animals of similar age. 427 [431]

V.—SOCIAL ORGANIZATION: MILITARY.

1. *Preparations for War.*

The Ngoni expeditions against the Achewa consisted principally of raids at times when the crops were ripening and they were short of food. At such times the young warriors who thirsted for war signified their desire by dancing outside the house of the chief. After they had danced for three evenings, the chief fixed a day, food was prepared, and warriors were summoned from the neighbouring villages. The *sing'anga* made medicine to protect them against the weapons of their enemies, and as the army filed past him, he dipped a hammer into the medicine; and struck each man on the chest with it. The best-known *sing'anga* under Chief Chiwere was Chimungu, and his name is still held in veneration. 721 726 756

2. *Methods.*

The Angoni usually came upon their foe unawares, and attacked with a rush. If they met with a stout resistance from a stockaded village, they surrounded it and camped till lack of water forced the besieged to sally forth. Quarter was rarely given to the men. 726

3. *Subsequent Proceedings.*

On their return, all who had killed a man repaired immediately to the *sing'anga* who mixed medicine with goats' milk. The warriors dipped their fingers in the mixture and put them into their mouths. Then they dipped again into the mixture, and rubbed it on their arms and legs, after which they stood up and shouted "O-o-o!" This form of purification was undergone in order to drive away the *chibanda* or affliction which they would otherwise suffer from the spirits of their dead enemies, and until they were cleansed they might not have any connexion with women. Next day, they burned goats' bones, powdered them and mixed them in water, anointing the mixture first on cheeks and throat and then over the remainder of their persons. After this they proceeded to their homes and, having decorated themselves, displayed their masculine pride by jumping about before the chief, who sent for a bull to be cooked and eaten. Prisoners were paraded, and when a man had taken three or more, one of them was always returned to him by the chief. 727 [783] [755]